

10

מדינת ישראל

משרד ראש הממשלה

ארכיון המדינה

מחוז השוליון - מחלקת א"י
(ט"ו סיון תר"ם)

4900/20 - מס' תיק

~~Review of Military and Civil~~

Clemency

96

4/4/1941 - 3/6/1940

מדינת ישראל
גנזך המדינה



מ - 4900/20

מזהה פיזי:

כתובת:

03/12/2003

02-108-11-11-07

מ

ארץ ישראל
ממשלת המנדט

מחלקה

תיק מס'

מס' איש

96

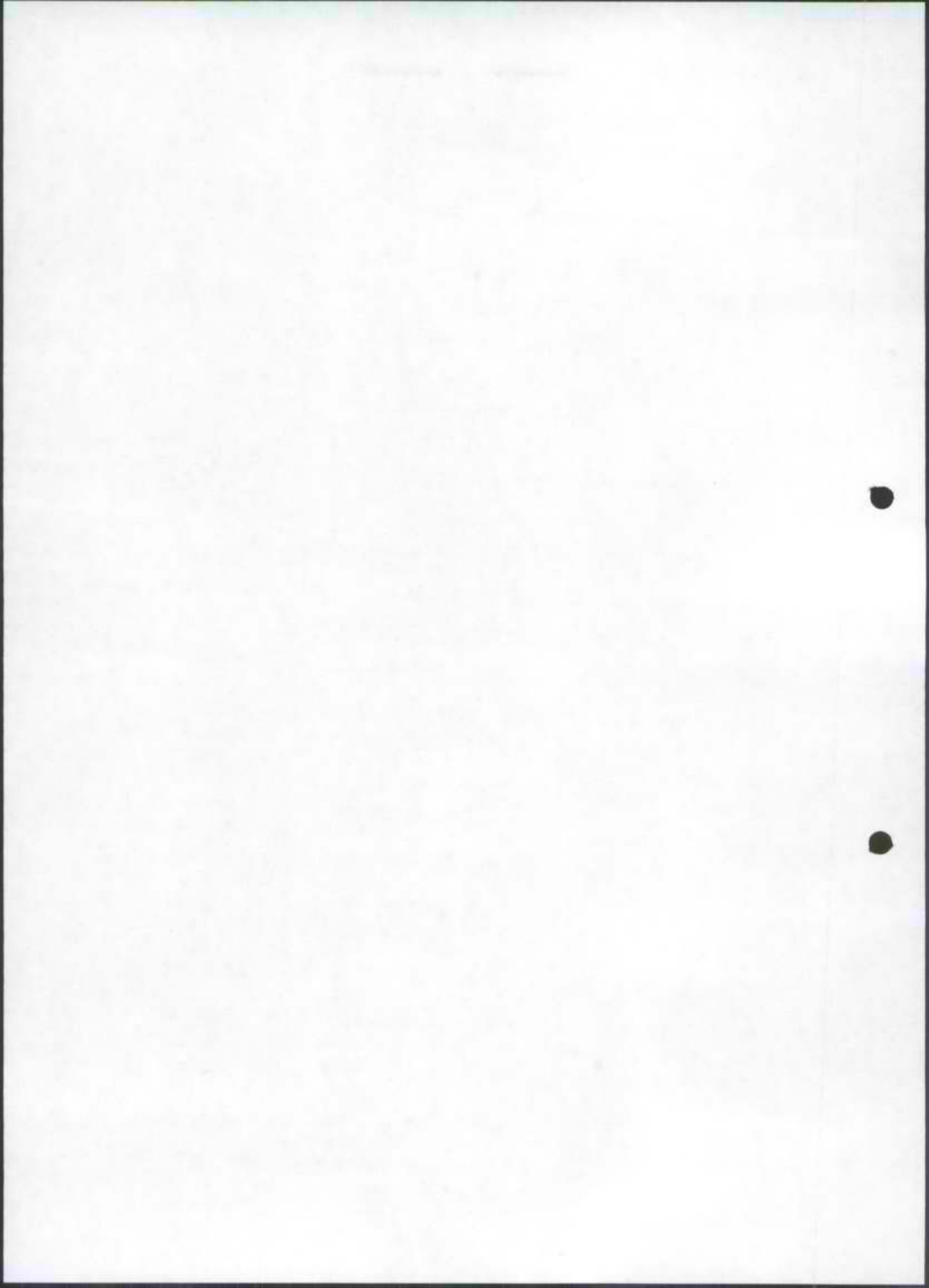
Other files dealing with
same Subject

SUBJECT.

Clemency

GDP, 115—30,000—25.1—35—22.35.

96



14 96 4th. April 1941.

A.I.G., C.I.D.

Subject :- Review of Military Court Cases - AFIF HAMDAN
SHABAB of Anebta.
Reference :- Your C 138/726/39 of 5.3.41 addressed to Tulkarm
and my letter of even number dated 27.3.41.

I do not recommend any revision of sentence
other than that earned in the normal course as prescribed
in the Prison Regulations.

Rh. us
SUPERINTENDENT OF POLICE,
NABLUS DISTRICT.

Copy to :- B.I.O. 6th. Cav. Bde.
D.S.P. Tulkarm.
A.D.C. Tulkarm.

DISTRICT OFFICES
TULKARM
31.3.41.

District Commissioner,
Samarie District, Nablus.

Subject: Case No. H. 184 Afif Hamdan Shehab of Tulkarm
Reference: Your 258 of 12.3.41.

The man in question was working for a certain local notable at the time who was endeavouring to assist ^{the} Government. The victim is reported to have been killed as a result of the gun being left let off accidentally. The notable concerned assisted the Police in making the arrest and has now requested that some revision of sentence be made.

2. It seems to be established that the man was not working for the bandits and it can be argued that, however illegally, he was attempting to assist the authorities.

P.T.O.

3. He is however indisputably guilty of manslaughter and of carrying an illegal weapon at the height of the disturbances.

4. In principle I entirely agree with the letter of the D.S.P. Tulkarm copy of which is attached for your information in as much that this is a case that merits generous treatment, but I would suggest that immediate release is a little premature and the prisoner should not be set free until he has completed another year of his sentence.

GPG/WA

GORDON
ASSISTANT DISTRICT COMMISSIONER
TULKARM

Copy to: D.S.P. TULKARM
" : S.P. MARCUS ref his
DMS/1650/P of 27.3.41.

144

Divisional Police Headquarters
C.I.D. Tulkarn.
26.3.41

A. D. C. Tulkarn.

Subject :- Afif Hamdan Shehab of Anabta.

Reference:- Your conversation with D.S.P. Tulkarn on 25.3.41

The application of clemency in this case was recommended by this office to C.I.D., H. Qtrs and to Force H. Qtrs for the following reasons:-
The prisoner was prior to his being involved in the crime for which he was convicted a member of the followers of Hafis Eff. Hamdulla of Anabta.
At this time although not allowed it was believed that various of these members had firearms, not for illegal use in rebel activity, but for their party protection.

This prisoner apparently had such an arm, and whilst playing about with it, it exploded and shot the deceased.

The crime was then buried by the villagers for 5 months, after which through the services of Hafis Eff. Hamdulla, the initial investigation were started and finally the accused arrested and the case proved.

In this end, Hafis Eff. gave numerous promises of his assistance to the family of prisoner regarding his release.

The accused had no criminal record and was not as far as is known connected with any gang or took part in any of the disturbances.

Clemency was therefore recommended by this office in an endeavour to support Hafis Eff. Hamdulla.

Tulkarn.

Sgd: D.S.P.

TKD/3.

Divisional Police Headquarters
C.I.D.Tulkarm.
26.3.41.

A.D.C.Tulkarm.

Y.W.
Scapio
Wf
1.4.41

Subject :- Afif Hamdan Shehab of Anabta.

Ref'nce :- Your conversation with D.S.P.Tulkarm
on 25.3.41.

The application of clemency in this case was recommended by this office to C.I.D., H.Qtrs and to Force H.Qtrs for the following reasons:-

The prisoner was prior to his being involved in the crime for which he was convicted a member of the followers of Hafiz Eff, Hamdulla of Anabta.

At this time although not allowed it was believed that various of these members had firearms, not for illegal use in rebel activity, but for their party protection.

This prisoner apparently had such an arm, and whilst playing about with it, it exploded and shot the deceased.

The crime was then buried by the villagers for 3 months, after which through the services of Hafiz Eff, Hamdulla, the initial investigations were started and finally the accused arrested and the case proved.

In this end, Hafiz Eff, gave numerous promises of his assistance to the family of prisoner regarding his release.

The accused had no criminal record and was not as far as is known connected with any gang or took part in any of the disturbances.

Clemency was therefore recommended by this office in an endeavour to support Hafiz Eff, Hamdulla.

Tulkarm.

W.B. Gould
D.S.P.
in absence thereof.

TMO/3.

Divisional Police Headquarters
C.I.D. Tulkarm.
26.3.41. OFFICE

A.D.C. Tulkarm.

Subject :- Afif Handan Shehab of Anbata. 2 APR 1941

Ref'nce :- Your conversation with D.S.P. Tulkarm
on 25.3.41.

The application of clemency in this case was recommended by this office to C.I.D., H.Qtrs and to Force H.Qtrs for the following reasons:-

The prisoner was prior to his being involved in the crime for which he was convicted a member of the followers of Hafiz Eff, Handulla of Anbata.

At this time although not allowed it was believed that various of these members had firearms, not for illegal use in rebel activity, but for their party protection.

This prisoner apparently had such an arm, and whilst playing about with it, it exploded and shot the deceased.

The crime was then buried by the villagers for 3 months, after which through the services of Hafiz Eff, Handulla, the initial investigations were started and finally the accused arrested and the case proved.

In this end, Hafiz Eff, gave numerous promises of his assistance to the family of prisoner regarding his release.

The accused had no criminal record and was not as far as is known connected with any gang or took part in any of the disturbances.

Clemency was therefore recommended by this office in an endeavour to support Hafiz Eff, Handulla.

Tulkarm.

D. S. P.

(Copy)

Subject:- Review of Military Court Sentences
Case No.H.184.

6/MC/15.

SECRET

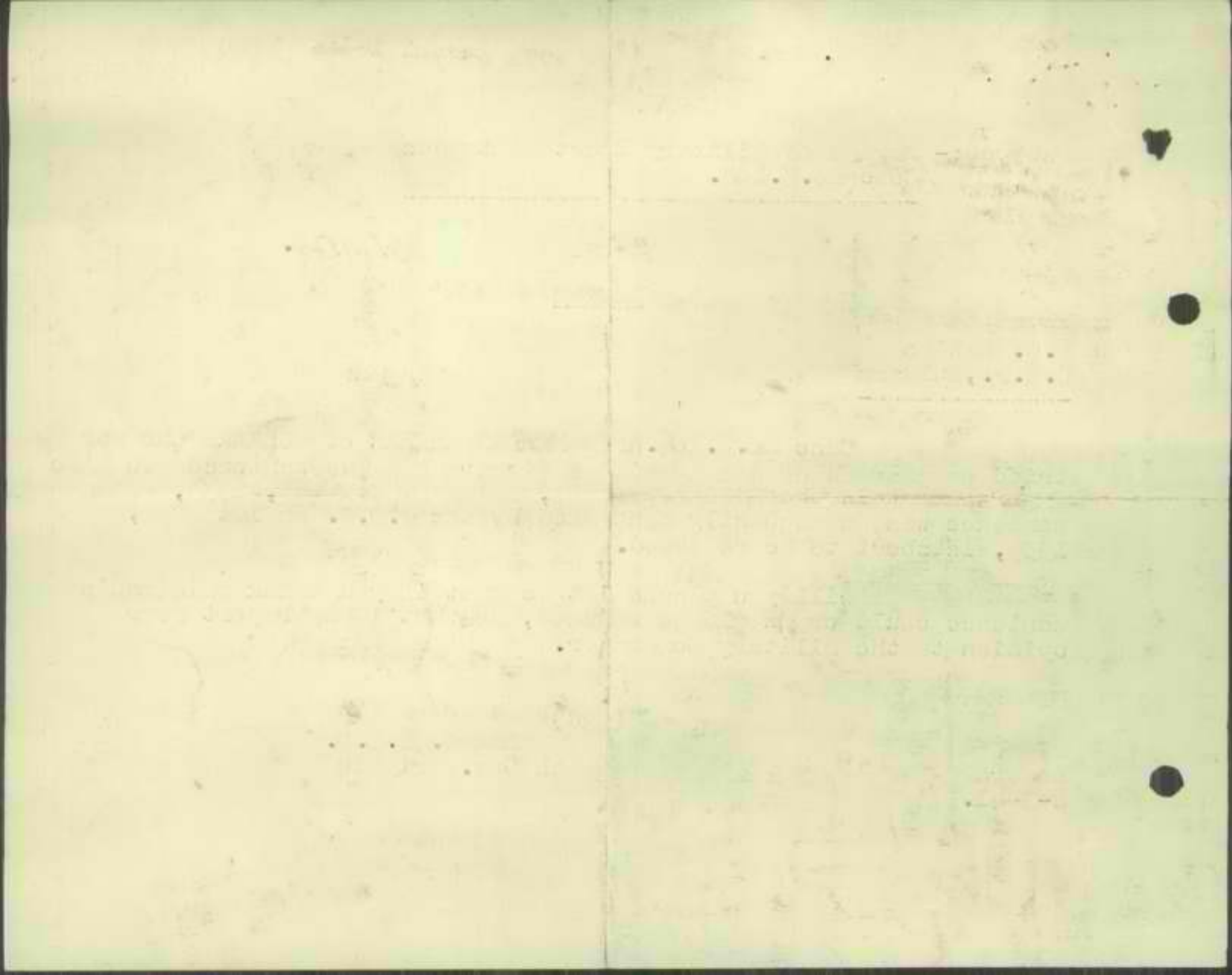
D.C. Nablus
D.S.P., Tulkarm

Case No.H.184. AFIF HAMDAN SHEHAB of TULKARM who was tried on charges of discharging a firearm and was sentenced to Life Imprisonment in the Military Court, HAIFA on 5th May, 1939, which sentence was subsequently confirmed by the G.O.C. on 10th May, 1939, is about to be reviewed.

Will you please let me know if you think this man's sentence could or should be reduced, so that I may report your opinion to the Military Commander.

Hadera
8-3-41.

ASSISTANT DISTRICT COMM. (sgd)	
OFFICES, SAMARIA, NABLUS	
No. 238	12/3/41 6th Cav. Brigade
Transmitted to: AOC Tulkarm	
for	Information
	Observations and
	Recommendations
urgent report	



D.A.A.G. (Courts),
Force Headquarters,
Jerusalem.

Subject:- Aliif Hamdan Shahab.

Reference:- TEC/3/8 of 23.3.41 from Tulkarm.

The Superintendent of Police, Nablus District is at present absent on leave.

3. I do not feel that the recommendations of the D.S.P., Tulkarm will meet with the approval of the Superintendent and I should be grateful if the question of the remission of subject's sentence could be held in abeyance until his return.



DEPUTY SUPERINTENDENT,
DISTRICT HEADQUARTERS,

Copy to:- B.I.O.
A.I.G., C.I.D.
D.S.P., Tulkarm
A/D.C., Tulkarm ✓

H. 184.

Review of Military Court Proceedings.

2004

Military Commander, SAMARIA.

A.S.O. (through G.I.F.)

I.C. Police (C.I.D.I.)

(3)

(3)

For Distribution - Military

Officer

Officer

Officer

SAMARIA.

TULKARI.

1. The case of **AFIF HAMDAN SHEHAB** of **TULKARI**.

who was tried on charges of **Discharging a firearm.**

and was sentenced to **life imprisonment** by the Military Court, **HAIFA.**

on **3 May 39**, which sentence was subsequently **confirmed**

by the G.O.B. on **10 May 39**, is about to be reviewed.

2. (a) Will you please say whether the early remission of the

sentencing part of the sentence passed, and the non-remission of the

whole sentence, in your opinion, be contrary to the public interest,

and, if so, why?

(b) For example, would his premature release

(i) have an adverse effect on local law and order?

(ii) seem undesirable owing to his previous record?

3. If, in your opinion, there is no objection to early remission,

should he be released

(a) unconditionally,

(b) under a guarantee, if so, what?

(c) under police supervision (Emergency Regulations 1941).

Please reply early meeting date 10/5/39.

FORAS H.C.

2 3 41.

Handwritten signature

A.M.S

(Copy)

GOVERNMENT OF PALESTINE

CHIEF SECRETARY'S OFFICE
JERUSALEM

CONFIDENTIAL

3rd June, 1940

0/140/40

District Commissioner, Samaria

I am directed to refer to your letter No.100 dated the 17th May, 1940, with which you enclose a translation of a petition addressed to the High Commissioner by certain mukhtars and elders of the Tulkarm sub-district, asking for the release of Salim Hamdan Ashkar of Attil village.

2. The General Officer Commanding was informed of the reasons which prompted you to suggest that this might be a case for the exercise of the High Commissioner's prerogative of clemency, but he has replied that General Barker considered this case very carefully in October last and that the fact that the two sons of Salim Hamdan Ashkar were known to be active rebels makes it difficult to recommend any remission of his sentence at present.

3. The petitioners should be informed that no grounds are seen for any remission of Salim Hamdan Ashkar's sentence.

4. For your personal information, however, the case will be reconsidered after a year of the sentence has been served, i.e. on 17-8-40.

ASSISTANT DISTRICT COMMISSIONER'S
OFFICES, SAMARIA, NABLUS

No 100

14.6.40

(sgd)

For CHIEF SECRETARY

action planned

As - 53 mg

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ديوان قاتقسام طولكرم

٤٠/٦/١٠

٩٦
٧١٥

حضرة مختار ووجه عتيد

اشير لاستدعاءكم الموجه ٤٠/٤/١٨ والمرفوع لفحاسة المندوب السامي وكلفت ان افيدكم بان
الحكومة لاترى اسبابا توجب لتفزيل الحكم الصادر بحق سليم الاشقر حمدان الاشقر من عتيل
والسلام

(توقيع) عبد الله خير

قاتقسام طولكرم

٤٥ - ٦ - ١٠